

IMPORTANT NOTICE TO POTENTIAL CLASS MEMBERS

TO: All current and former admissions representatives employed by Ohio Technical College, Inc. between December 14, 2012, and the present.

RE: Right to join a collective action seeking to recover alleged unpaid overtime compensation.

1. THE PURPOSE OF THIS NOTICE IS TO:

- Inform you of your rights to join a collective action lawsuit against Ohio Technical College, Inc. (“OTC”) in which you are potentially “similarly situated” to the named Plaintiff;
- To advise you of how to participate should you choose to do so; and
- Advise you of how your rights under the Fair Labor Standards Act (“FLSA”) may be affected by this action.

2. DESCRIPTION OF THE ACTION:

On August 27, 2015, Douglass Green filed a lawsuit against OTC to recover unpaid overtime compensation, liquidated damages, and attorneys’ fees and costs under the Fair Labor Standards Act (“FLSA”).

Mr. Green alleges that he and similarly-situated admissions representatives were misclassified as “exempt” from the FLSA and consequently denied overtime pay for hours worked over 40 per week.

OTC has denied these charges. It asserts that OTC has complied with the law at all times and that it has paid its employees all of the compensation to which they are entitled under the law.

The right to recover these wages for any Plaintiff has not been established and is not guaranteed or certain. The judge supervising the lawsuit takes no position regarding the merits of this case.

3. YOUR RIGHT TO PARTICIPATE IN THIS ACTION:

You have a right to participate in this action if you were employed by OTC as an admissions representative at any time between December 14, 2012, and the present.

4. HOW TO PARTICIPATE IN THIS ACTION:

If you choose to join this lawsuit, you must read, sign, and return the attached forms. You may return them by:

- a) mailing the signed forms in the self-addressed, postage-prepaid envelope; or
- b) texting a picture of the signed forms to: 216-395-4242; or
- c) e-mailing a copy of the signed forms to classactions@crklaw.com; or
- d) faxing the signed forms to 216-781-8061.

The signed Forms must be received or postmarked by Friday, March 4, 2016. It is important that you return the Forms as soon as possible because the time period for which you can seek payment will depend on when the Consent Form is filed with the Court. If you have any questions about the forms, you may contact Plaintiff’s attorneys at (216) 781-7956.

5. NO RETALIATION PERMITTED:

The law prohibits OTC from firing, harassing, discriminating, or retaliating against you for joining this lawsuit.

6. **EFFECT OF JOINING THIS LAWSUIT:** If you choose to join this lawsuit, you will be bound by the Court's judgment, whether it is favorable or unfavorable. You will also be bound by, and share in, any settlement if one is reached on behalf of the class. By joining this case:
- You designate the lead Plaintiff as your agent to make decisions on your behalf concerning the litigation, and the method and manner of conducting the litigation;
 - You become subject to the contingency fee agreement agreed to by the lead Plaintiff concerning attorneys' fees and costs, which states that if there is a recovery, costs expended by attorneys on your behalf will be deducted from your settlement or judgment. Plaintiff's counsel will request an award of reasonable attorneys' fees and costs to be paid by OTC on your behalf, which would be part of your total recovery. Fees retained by Plaintiff's counsel will be the greater of either the amount of attorneys' fees received from OTC or thirty-three and one-third percent (33-1/3%) of your total recovery. There will be no attorneys' fees or costs charged to you if there is no recovery in the case.
 - You may be required to answer certain inquiries, under oath from Plaintiff and OTC, including requests for information about your employment (such as pay, job duties, and hours of work), as well as requests for documents in your possession relating to your OTC employment.
7. **NO LEGAL EFFECT IN NOT JOINING THIS ACTION:** If you choose not to join this case, you will not be affected by any judgment or settlement rendered in this case, whether favorable or unfavorable to the class. You will not be entitled to share any amounts which may be recovered by the class. You will be free to file your own lawsuit, however, the pendency of this action will not stop the running of the statute of limitations as to any claims you may have until you file your own lawsuit.
8. **YOUR LEGAL REPRESENTATION IF YOU JOIN:** If you participate in this action, you will be represented by:

Jason R. Bristol, Esq. and Joshua B. Fuchs, Esq.
COHEN ROSENTHAL & KRAMER LLP
700 West St. Clair Avenue, Suite 400
Cleveland, Ohio 44113
Phone: 216-781-7956; Facsimile: 216-781-8061
office@crklaw.com

9. **OHIO TECHNICAL COLLEGE, INC. IS REPRESENTED BY:**

Thomas R. Simmons, Esq. and Christine M. Snyder, Esq.
TUCKER ELLIS LLP
950 Main Avenue, Suite 1100
Cleveland, OH 44113-7213
Phone: 216-592-5000; Facsimile: 216-592-5009
E-mail: thomas.simmons@tuckerellis.com
christine.snyder@tuckerellis.com

10. **FURTHER INFORMATION**

Further information about this Notice or the action may be obtained from Plaintiff's counsel at 216-781-7956. The call is free and confidential.

THIS NOTICE HAS BEEN AUTHORIZED BY JUDGE DONALD C. NUGENT OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO. **THE COURT HAS TAKEN NO POSITION IN THIS CASE REGARDING THE MERITS OF PLAINTIFF'S CLAIMS OR OF OTC'S RESPECTIVE DEFENSES.**

CONSENT TO JOIN
FEDERAL FAIR LABOR STANDARDS ACT LAWSUIT

I hereby consent, agree, and opt-in to be a party Plaintiff in *Green v. Ohio Technical College, Inc.*, N.D. Ohio Case No. 1:15-cv-1729, pursuant to the terms and conditions contained in the Notice I received with regard to that lawsuit. I agree to be represented by Cohen Rosenthal & Kramer LLP. I understand that by signing and submitting this form it will be filed with the Court and I will be bound by the judgment of the Court on all issues in this case.

Full Legal Name (Print)

Signature

Date

Green v. Ohio Technical College, Inc.

CONFIDENTIAL CLIENT INFORMATION SHEET

**THIS INFORMATION IS FOR PLAINTIFF'S COUNSEL ONLY
AND WILL NOT BE MADE PUBLIC.**

Please Print Legibly

Name: _____

Other names
(Maiden, Nickname, etc.) _____

Address: _____

Telephone Numbers: (H) _____
(C) _____
(O) _____

E-Mail: (Primary) _____
(Secondary) _____